United Nations E/C.19/2005/5/Add.2

Economic and Social Council

Distr.: General
21 March 2005

Original: English

Permanent Forum on Indigenous Issues
Fourth session
New York, 16-27 May 2005
Item 3 of the provisional agenda*
Special theme: Millennium Development Goals and indigenous peoples

Information received from Governments

Note by the Secretariat

Addendum**

Finland

Summary

In the present document, the Government of Finland provides updated information on its legislation, the implementation of policy and its engagements in issues relating to indigenous peoples at regional and international levels. The emphasis was placed on the areas of indigenous women, education, culture, health, human rights and economic and social development. The Government of Finland also made suggestions regarding the future work of the Forum.

* E/C.19/2005/1.
** The present document was submitted late to ensure the inclusion of the most recent information.

05-27980 (E) 150405

Contents

		Paragraphs	*Page*
I.	Indigenous women	1–4	3
II.	Education	5–34	3
III.	Culture	35–47	7
IV.	Human rights	48–61	9
V.	Economic and social development	62–67	12
VI.	Health	68–73	12
VII.	Future work of the Forum	74	13

I. Indigenous women

Recommendation 14 (a)

1. Finland, as a member of the Arctic Council, has ensured the participation of the Sámi people, including indigenous Sámi women, on a permanent basis, in all phases of its activities. This includes the design of AC projects.

Recommendation 14 (d)

2. The prohibition of discrimination is embodied in numerous human rights treaties ratified by Finland, among others the Convention on the Elimination of All Forms of Discrimination against Women. Finland has regularly reported to the CEDAW Committee about the respective legislative, judicial, administrative and other steps undertaken to implement the provisions of the Convention. The 5th report (submitted to the Committee in October 2003) includes also a chapter on Sámi women. Information on Sámi women has also been included in previous reports. The Committee has not addressed any concerns in its conclusions regarding Sámi women in the 3rd and 4th reports in the 24th session on 21 January 2001.

3. The 2004 Government Report to Parliament on the human rights policy of Finland acknowledges indigenous rights and especially the status of indigenous women and girls and the danger of facing multiple discrimination based on both ethnicity and sex. Also in future will the Finnish Government pay tribute to the special status of indigenous people in their efforts against discrimination. When addressing the report, the Foreign Policy Committee of the Finnish Parliament noted that increased attention should be paid to the Sámi rights and their implementation. The Foreign Policy Committee also drew the attention to multiple discrimination of Sámi women and minorities among the Sámi population, e.g. the Skolt-Sámi (UaVM 12/2004 vp).

Recommendation 14 (f)

4. The Ministry for Foreign Affairs and the Ministry of the Environment are taking part in financing the Arctic Council's projects ensuring the participation of the Sámi People, including indigenous Sámi women.

II. Education

General education

5. Since the beginning of 1999, local authorities and other education providers in the Sámi Home Area have been granted a separate state subsidy for the teaching of and in Sámi language.

6. A new national basic education core curriculum was adopted in January 2004 and education providers and schools could apply it in their curricula from 1 August 2004. The new curricula must be adopted throughout basic education by 1 August 2006. The new core curriculum provides separately for the instruction of different linguistic and ethnic groups, especially the Sámi population. The values underpinning basic education in Finland are human rights, equal opportunity, democracy, the preservation of the diversity and viability of the environment, and the acceptance of multiculturalism. Education must take account of national and local characteristics and

the national languages, the two folk churches, the Sámi as the indigenous people and other national minorities.

7. In keeping with the new core curriculum, the instruction of Sámi pupils must take account that the Sámi are an indigenous people with a language and culture of its own. For some pupils, Sámi (North, Inari or Skolt Sámi) is both mother tongue and the language of instruction, for others it is taught as a foreign language. Sámi pupils are mostly taught in Sámi. Education must support the pupils' cultural identity and give opportunities for them to learn their own language and develop their language proficiency. Basic education must promote the pupils' knowledge of their own culture and history and of Nordic Sámi cooperation and their awareness of the Sámi as a nation and as one of the world's indigenous peoples. The teaching must help the pupils to identify with their national cultural heritage and promote solidarity with Sámi people living in other countries.

8. Under the Basic Education Act, the National Board of Education determines the major principles of home-school cooperation and the principles and aims of pupil welfare. School-home cooperation must be defined in the curriculum in collaboration with the local social and health authorities. The possibility for parents to participate in the planning and evaluation of the school education together with the teachers and pupils promotes interaction between the school and pupils' parents. Parents must be informed about the curriculum, teaching arrangements, pupil welfare services and the possibility to participate in home-school cooperation.

9. The 2005 state budget proposal contains a net appropriation of 18.409 million euros for the operational costs of the National Board of Education. This appropriation can also be used for the development of learning materials and the production of Swedish learning materials and other material of small distribution. The budget provides that 258,000 euros of the appropriation must be allocated to the Sámi Parliament to be allotted by it for the production of Sámi learning materials.

10. The Sámi Parliament has set up an education and learning material committee to plan, produce and distribute learning materials; it is also responsible for Nordic cooperation and for the use of the above mentioned appropriation. The learning material projects are implemented by a full-time learning materials secretary. The learning materials appropriation has been used to produce basic textbooks, supplementary materials and AV materials. The largest learning material groups are mother tongue materials and adapted Sámi translations of Finnish textbooks for year-classes 1-9. Materials have been produced in all the three Sámi languages, but more in North Sámi than in the others.

11. The appropriation was 1.4 million FIM in 2000; 1.5 million FIM in 2001; 253,000 euros in 2002 and in 2003; and 258,000 euros in 2004. In the 2005 budget proposal the appropriation is 258,000 euros.

12. The Finnish Education for All National Action Plan (March 2003) also provides for the Sámi minority's right to education in their own language. The Action Plan is based on the six Goals adopted by the World Education Forum in 2000, which are implemented at the national level. According to the Goals, states must take special account of the education of ethnic minorities. The Education for All process is the foremost tool for implementing the UN Millennium Development Goals relating to education. This means that education must be assigned a cross-sectoral role in the implementation of the Development Goals. The Education for All process includes

flagship programmes for education and awareness-raising concerning HIV/AIDS and health education. The EFA process is coordinated at the international level by UNESCO.

Vocational education and training

13. The Sámi Area Education and Training Centre mainly caters for the needs of the Sámi Home Area, develops Sámi culture and nature-based livelihoods, and promotes the production of learning materials in the Sámi language. The Centre also provides research and other services which relate to or support education and training. The Centre provides initial and further vocational training, education in Sámi language and culture, and general adult education. When needed, it also arranges education and training in other locations.

Comments on the recommendation 19 (a)

14. The Sámi mainly live in a few municipalities in Northern Finland and participate in local decision-making through municipal self-government with other residents.

Comments on the recommendation 19 (b)

15. The number of teachers and other teaching staff with a Sámi background has been increasing. Sámi-speaking class teachers are trained in the Universities of Oulu and Lapland. The situation concerning North Sámi teachers is good; all the teachers are qualified class teachers.

Comments on the recommendation 19 (d)

16. The Sámi have equal opportunities for social participation with the rest of the population.

Comments on the recommendation 19 (e)

17. The Sámi have equal opportunities for education and training with the rest of the population and, for instance, have an adult education centre of their own to provide adult education.

Comments on the recommendation 19 (f)

18. The aims of the core curricula in the Sámi area are identical to those in the rest of the country.

Comments on the recommendation 19 (g)

19. Special attention has been paid to the teaching of and teaching in the Sámi language and to relevant in-service training of teachers.

Comments on the recommendation 19 (h)

20. The core curriculum and the practical implementation of local and school curricula enable the necessary contents to be introduced.

Comments on the recommendation 19 (i)

21. The current legislation provides for instruction in the pupils' native language.

Comments on the recommendation 19 (j)

22. The core curricula contain the aim of multilingualism.

Comments on the recommendation 19 (k)

23. Education and training is also available for the development of the Sámi communities.

24. Finland (Ministry of Education/Division of Sustainable Development) has co-financed "Capacity Building Overview of the Arctic Council with Canada. The Overview summarizes the best practices of capacity-building in Arctic Council's activities. The overview serves as a source-book in future design of the AC projects and cooperative activities.

Comments on the recommendation 19 (l)

25. The Sámi can participate in education and training which equips them to participate in decision-making concerning education and activities relating to education and training provision.

Comments on the recommendation 19 (m)

26. According to the national basic education core curriculum, the acceptance of multiculturalism is one of the values underpinning basic education in Finland. As regards the appreciation of cultures, all the cultures are considered equal.

Comments on the recommendation 19 (n)

27. Human rights, equality and equity are important principles in the core curricula.

Comments on the recommendation 19 (o)

28. Sámi education is supported by all means available: they are provided their own education, in-service training is available for teachers, and language instruction is available.

Comments on the recommendation 19 (p)

29. The opportunities for education and training of the Sámi people are equal with the rest of the population.

Comments on the recommendation 19 (q)

30. The Finnish core curricula provide for the implementation of the recommendation.

Comments on the recommendation 20 (c)

31. The policy aim is equitable public education. The Ministry of Education, together with the Finnish National Commission for Education, the Ministry for Foreign Affairs and the National Board of Education, has drawn up a national Education for All action plan, which looks at the situation in and major development needs of Finnish education from the viewpoint of the six Dakar objectives.

Comments on the recommendation 20 (f)

32. **The Ministry of Education endorses the recommendations of the third session of the United Nations Permanent Forum on Indigenous Issues concerning UNESCO. At the UNESCO General Conference, Finland endorses UNESCO's action on behalf of indigenous peoples. It is very important and must be endorsed that good practices in the education of indigenous peoples become known and are distributed.**

Comments on the recommendation 20 (h)

33. The small Sámi population in Finland does not make it possible to offer higher education specifically geared for them, but the possibilities of regional cooperation should be explored. The long-standing Nordic cooperation provides a good basis for this.

However, the University of the Arctic is open for the Arctic indigenous people regardless of their nationality or location.

Comments on the recommendation 20 (i)

34. The Finnish National Commission for UNESCO has a member versed in the rights of indigenous peoples. The Commission has been active in Nordic UNESCO cooperation, stressing the need to take account of the indigenous peoples in the education, culture, science and communications sectors. Finland made a contribution to the organisation of Knowledge in the Next Generation — Indigenous People Conference in Tromso, Norway, 23-26 August 2004.

III. Culture

General

35. Cultures evolve in international interaction. The traditional objectives of cultural policy are to promote creativity, to strengthen cultural identity, to advance cultural diversity and to facilitate equitable participation. Communities which are aware of and can sustain their own cultural identities are best equipped to ensure the cultural and societal activity of the people operating within these cultures. In Finland, too, waning social commitment and activity is a growing threat. A community with a healthy appreciation of its own culture is more disposed to understand other cultures and people. Thus, the aspiration to strengthen cultural identity in Finland also supports the process towards multiculturalism.

36. Cultural heritage that manifests and expresses itself in a multitude of ways locally, regionally and nationally, and development of this heritage promote tourism. This enables indigenous peoples to develop their cultural industries and cultural exportations in many ways and thereby constitutes an important economic factor.

Comments on the recommendation: 26

37. Finland works within UNESCO, the EU and unofficial intergovernmental cooperation with a view to creating a legally binding framework for national, regional and international policy and action for preserving and enhancing cultural diversity. Finland contributes actively to the preparation of the Convention on the Protection of

the Diversity of Cultural Contents and Artistic Expressions (UNESCO). As part of the preparation of the accession negotiations, Finland organised a discussion event (20 October 2004) to hear the various stakeholders, to which the Sámi Parliament was also invited. The draft convention was sent on a comment round to non-governmental organisations, including Sámi organisations.

Comments on the recommendation: 27

38. The Ministry of Education promotes the preservation of cultural heritage at the national and international levels. The Ministry considers it vital to cherish both material and immaterial cultural heritage at both levels (e.g. the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage).

39. In its objectives, the Ministry of Education takes the cultural needs of the indigenous people more into account within the general systems for supporting culture and the arts and in the operations of cultural institutions. Faced with growing immigration, the Ministry is also taking measures to cater for the cultural needs of immigrants. One of the objectives for the Ministry is to ensure access to varied library and information services, and to varied digital cultural contents also as regards the indigenous people.

Comments on the recommendation: 28

40. The preservation and development of the indigenous culture and the transfer of cultural heritage to the younger generations are an essential part of the activities of Sámi community. The support granted by the Ministry of Education to Sámi culture and Sámi organisations is allocated by the Sámi Parliament. In 2004 this appropriation was 168,000 euros and in 2005 193,000 euros. In addition, the Ministry allocates 12,000 euros to the preservation and maintenance of Sámi hut churches in 2005. Further, the Ministry supports the activities of Sámi artist organisations and the Finnish section of the Sámi Council, which is a joint advisory body of Finnish, Swedish, Norwegian and Russian Sámi organisations.

41. The Ministry of Education continues to support the Sámi youth organisation (Suoma Sáma Nuorat) with a view to promoting voluntary activities of the young Sámi. In addition, the Ministry has allocated separate grants to the Sámi Parliament for the organisation of Sámi Young Art events. These events put into action the right of the young Sámi to cherish and develop their own culture.

Comments on the recommendation: 29

42. In Finland, the Government is not involved in actual sport provision or in the organisation of sports events. The role of the government and local authorities is to create favourable conditions for sports and other physical activity. Sport provision is primarily the task of sport bodies.

43. As regards the implementation of the recommendation in Finland, the Ministry of Education has subsidised the work of the Finnish Sámi Sport Organisation with ordinary state sport organisation support. The Finnish Sámi Sport Organisation has been accepted as a body eligible for the subsidy under the Sport Act. However, in 2005 the Sámi organisation did not apply for the support.

Comments on the recommendation: 30

44. First of all, Finland is of the opinion that it is very important to take measures, both nationally and internationally, to safeguard intangible cultural heritage in its various forms. The main question in this respect is only what the best possible measures to reach this objective are. As to the UNESCO Convention, even though it contains many positive elements, the main feeling amongst the cultural experts and bodies in our country still is that the listing procedures — which are included even in the final version of the convention — will not necessarily bring any special added value to the safeguarding activities. Instead, they form an important, or major, part of the implementation of the convention, requiring both financial and human resources.

45. Having examined the final Convention, adopted by the 32nd General Conference of UNESCO, the Finnish Ministry of Education decided not to begin the process of ratification for the time being. Instead, the Ministry will follow the experiences of those countries which ratify it. The Ministry will also follow the debate on the Convention and on the safeguarding of the intangible cultural heritage in general. In this way, Finland can review the question of ratification at any later point on the basis of information and feedback thus obtained from the relevant cultural bodies in our country.

Comments on the recommendation: 31

46. The mission of some of the subsidised bodies mentioned under 28 is to maintain and promote the Sámi handcraft tradition and the possibilities for these crafts to offer a livelihood to Sámi people. Especially Sámi women work actively in these organisations.

Comments on the recommendation: 36-37

47. Finland works within the World Intellectual Property Organisation WIPO and the EU with a view to updating the international intellectual property conventions and agreements to respond to the demands of contemporary global information society. Finland's aim is to consolidate the right of the indigenous peoples to their intellectual property.

IV. Human rights

General comments on legal provisions and national institutions

48. The rights of indigenous peoples to maintain and develop their own language and culture is protected by the Constitution of Finland (731/1999). Moreover, the Sámi Language Act (1086/2003) protects the Sámi language. Cultural autonomy of the Sámi people alongside with its institutions and organs is protected by laws (974/1995) and (1727/1995).

49. The new Non-discrimination Act (21/2004) entered into force on 1 February 2004, which implemented the Council's directive on equal/non-discriminatory treatment regardless of race and ethnic origin (2000/43/EY) and the directive on equal/non-discriminatory treatment in profession and at work in general (2000/78/EY). The purpose of the act is to enhance and secure the realisation of equality and strengthen the legal protection of individuals or groups who face discrimination. The act prohibits discrimination based on age, ethnic or national origin, nationality, language, religion,

conviction, opinion, health, disability and sexual orientation. Thus the act applies also to members of indigenous peoples.

50. The Non-discrimination Act provides that authorities should establish equality/ non-discrimination programmes to enhance ethnic equality. Besides immigrants, the act also takes into account Finland's traditional national minorities, Sámi and Roma. On 9 September 2004 the Ministry of Labour published recommendations regarding the content of the equality programmes in Finnish, Swedish and Sámi.

51. The Government establishes an advisory board on minority affairs in spring 2005. This board supports the Ombudsperson on Minorities (687/2001) and its duties are:

– make proposals and give statements on the development of monitoring and control of ethnic non-discrimination and the protection of the status and rights of foreigners; and

– develop the cooperation of authorities and organisations to monitor and control non-discrimination as well as prevention of discrimination

Comments on the recommendations 41

52. The citizens' rights are regulated in the Constitution of Finland. Section 6 of the Constitution contains a general equality clause and non-discrimination prohibition, among others regarding the prohibition of discrimination based on sex and a provision on equality. This latter provision stipulates that equality of the sexes is provided in more detail by an Act. The Law of the Equality between Woman and Man (609/1986) was passed in 1986. According to section 22 of the Constitution the public authorities shall guarantee the observance of basic rights and liberties and human rights.

Comments on the recommendation: 42 (a)

53. According to section 17,3 of the Constitution, the Sámi, as an indigenous people, have the right to maintain and develop their own language and culture. Provisions on the right of the Sámi to use the Sámi language before the authorities are laid down by an Act. According to section 22 of the Constitution authorities are obliged to guarantee the realisation of these rights.

54. Section 6 of the Constitution embodies the protection of the right of children to be treated equally and as individuals and they shall be allowed to influence matters pertaining to themselves to a degree corresponding to their level of development.

55. Finland has ratified the Convention on the Rights of the Child and has regularly reported to the Committee on the Rights of the Child. The latest, 3rd report emphasises the rights of indigenous children. The Committee has not addressed any concerns regarding indigenous children in their conclusions. However, the Committee of Ministers of the Council of Europe has recommended on 20 October 2004 that Finland should continue its efforts to develop education in Sámi language above all concerning Inari-Sámi and Skolt-Sámi (examination of the 2nd report of the interim report of the implementation of the European Charter concerning regional and minority languages). The recommendation has been brought to the attention of the authorities.

Comments on the recommendation: 42 (b)

56. Finland regularly includes Sámi as indigenous people in their reports to the Committees of the Treaty Bodies (see also above).

Comments on the recommendation: 42 (c)

57. According to section 21 of the Constitution everyone has the right to have his or her case dealt with appropriately and without undue delay by a legally competent court of law or other authority, as well as to have a decision pertaining to his or her rights or obligations reviewed by a court of law or other independent organ for the administration of justice. Provisions concerning the publicity of proceedings, the right to be heard, the right to receive a reasoned decision and the right of appeal, as well as the other guarantees of a fair trial and good governance are laid down by an Act.

58. The Legal Aid Act (257/2002) stipulates, that legal aid shall be given at the expense of the state to a person who needs expert assistance in a legal matter and who for lack of means cannot self pay the expenses of having the matter dealt with. Legal aid covers the provision of legal advice, the necessary measures and representation before a court of law and another authority, and the waiver of certain expenses of the consideration of the matter, as provided in this Act.

59. According to the State Compensation for Witnesses Act (666/1972) the following costs can be paid out of public funds: the state can be imposed to pay witnesses appearing in court as well as the complainant's, the complainant's legal representative's and their escort's compensations for travel or subsistence expenses and financial losses as enacted in the above mentioned Act.

60. The Sámi Language Act (1086/2003) contains provisions on the right of the Sámi to use their own language before the courts and other public authorities, as well as on the duty of the authorities to enforce and promote the linguistic rights of the Sámi. The goal of this Act is to ensure the right of the Sámi to a fair trial and good administration irrespective of language and to secure the linguistic rights of the Sámi without them needing specifically to refer to these rights.

Comments on the recommendation: 42 (d)

61. The Law of the Equality between Woman and Man (609/1986) promotes equality of the sexes and the status of women especially at work. The law obliges the state, municipalities and other public authorities as employers and protects the rights of the employees that stand in a professional relation with these entities, be it as civil servants, employees with a comparable status or applicants. In state committees, advisory boards and other congruent institutions as well as municipal organs — with the exception of municipal councils whose members are elected in municipal elections — both women and men have to be represented by at least 40% each, if there are no special reasons against this principle. Indigenous women have to be treated equally to other women as stipulated by Constitution.

V. Economic and social development

General

62. The Ministry of the Environment (Division of Sustainable Development, Department of Environmental Protection) has since 1996 had a partnership with the Sámi Parliament Finland while preparing the Sustainable Development Program of the Sámi (Approved 1998). The revision of the SD Program is underway as a cooperative activity between the Ministry of the Environment and the Sámi Parliament (Ms. Siiri Jomppanen being the responsible writer).

Comments on the recommendation: 57 (d)

63. Sámi women have equal opportunities and possibilities for education with the rest of the population.

Comments on the recommendation: 58

64. Finland, as a member of the Arctic Council, has in the development of the Arctic Council's Sustainable Development Action Plan (2004) taken into account the indigenous peoples' needs. Finland is financing the revision of the Sustainable Development Program of the Sámi.

Comments on the recommendation: 59 (a)

65. A reference is made to Paragraph 41 of this Contribution and the general principle of equal treatment and non-discrimination.

66. As far as access to social and economic services is concerned, the right to use the Sámi language before the authorities is laid down by an Act as regulated by section 17,3 of the Constitution. The relevant provisions are incorporated in the Sámi Language Act (1086/2003). Social and health services in Sámi language are promoted in the yearly budget of the State.

67. The efforts to advance the land rights of Sámi people are further continued so that the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries could be ratified. To resolve the issue, further mutual research is conducted by the universities of Oulu and Lapland concerning housing, demography, use of land and ownership of land in northern Lapland, which is expected to be concluded by 31 May 2005. As soon as the research results are available, views of different parties will be sought and the negotiations with the Sámi Parliament will be started.

VI. Health

General

68. Health services are based on tax-financed activities by the municipalities and are available for everyone regardless social or financial status. The Constitution of Finland and the health care legislation ensures that all citizens living in Finland have the right to health care and medical treatment of high quality that is appropriate to individual health conditions. Therefore the responsibility to organise public health care lies with municipalities and their financing is mainly based on state contributions and

municipal tax income. The organisation of health care is prescribed by the Primary Health Care Act (66/1972) and the Act on Specialized Medical Care (1062/1989).

69. The aim of the Government programme is to ensure a needs-based, equal access to municipal services, their high quality and sufficient quantity, while considering reasonable charge and tax burdens. Health services are developed in cooperation between the state and municipalities, taking into account activities by organisations and the private sector. The Target and Action Plan for Social Welfare and Health Care 2004-2007 of the Government includes more precise targets and necessary activities, recommendations and directions for the Government programme. Among others, one of the aims set out in the target and activity programme is that municipalities provide services in Sámi language.

70. Besides the normal state contributions for health services the Parliament has approved in its 2005 budget a special 600,000 euros grant as state assistance to ensure social and health services in Sámi language.

71. The grant can be used as payment of the state assistance through the Sámi Parliament to ensure social and health services in Sámi language in the municipalities of the Sámi Homeland as defined in section 4 of the Act on the Sámi Parliament (974/1995).

72. State assistance should be granted for all costs of social and health care service provided in Sámi languages. The state assistance is administered by the State Provincial Office of Lapland. The administration is prescribed by the Act on Discretionary Government Transfers (688/2001).

73. This financial proceeding is an exception to the general principles of state contributions to municipalities. However, this special state assistance to ensure social and health services in Sámi languages is justified, because it is necessary to maintain and develop the language and culture of the indigenous people of the Sámi as stated in the Constitution.

Social and health services take into account equal opportunities and treatment legislation and non-discrimination principles.

VII. Future work of the Forum

Comments on the recommendation: 112

74. **The recommendation to devise a three-year thematic agenda for the Forum is useful if the objective-setting succeeds in formulating concrete objectives and outlining initiatives on the basis of the current good practices.**

United Nations E/C.19/2005/5/Add.3

Economic and Social Council

Distr.: General
7 April 2005
English
Original: Spanish

Permanent Forum on Indigenous Issues
Fourth session
New York, 16-27 May 2005
Item 3 of the provisional agenda*
Special theme: Millennium Development Goals and indigenous peoples

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Note by the Secretariat

Addendum**

Guatemala

Summary

This report contains information on the actions undertaken in recent years by the State of Guatemala with regard the Millennium Development Goals — eradicating extreme poverty and achieving universal primary education — in order to address the special theme proposed for the fourth session of the Permanent Forum on Indigenous Issues.

The report analyses a number of the reasons for the economic, social and political exclusion of indigenous peoples, such as the lack of rural development, unemployment, the lack of essential services, poor quality housing and discrimination as well as the difficulties associated with access to education. It describes a number of actions initiated by the Social Investment Fund and the Guatemalan Fund for Indigenous Development, institutions responsible for finding ways of eradicating extreme poverty by investing in the country's infrastructure and rural development. The actions undertaken by the Ministry of Education with a view to improving educational infrastructure and quality are also set forth in detail.

* E/C.19/2005/1.
** The present document was submitted late to ensure the inclusion of the most recent information.

05-30056 (E) 260405 280405

Main goals

Goal 1
Poverty eradication

1. As part of its policy for the new decade, the State of Guatemala has given careful consideration to the causes of indigenous peoples' economic, social and political exclusion and is of the opinion that they are influenced by a number of factors, including income, ethnicity, place of residence, gender and age, that are attributable to the lack of rural development.

2. The level of income concentration is extremely high: 64 per cent of income is earned by the wealthiest group and 1.7 per cent by the poorest group. All the factors mentioned above can be attributed to colonial practices which still persist in some spheres of Guatemalan life. Consequently, ways must be found to counteract their effects, which undermine the establishment of a democratic nation.

3. According to statistics, most of the population of 11.2 million is currently affected by poverty. Fifty-seven per cent of households are living in poverty and 21.5 per cent in extreme poverty. Space distribution in urban and rural areas has an influence on access to opportunities for human development. For every 100 inhabitants, 60 live in rural areas where precarious employment, the lack of basic services and poor quality housing are more prevalent. Disadvantages are also more marked among the indigenous population, women and vulnerable age groups such as children, young people and the elderly.

4. Furthermore, poverty levels are higher among those who do not have access to basic services. According to the most recent census, seven out of ten indigenous households live in poverty and, of those seven, three live in extreme poverty. In comparison, four out of ten non-indigenous households live in poverty and one in extreme poverty.

5. With regard to the results achieved or actions undertaken by the State to respond to the problems currently facing indigenous peoples, some outward and symbolic progress has been made. However, for economic reasons, that progress has not been sustainable and the infrastructure that would allow for the achievement of results is lacking.

6. It can also be said that the State has failed to achieve better results owing to the lack of well-defined strategies that provide for the involvement of the communities affected and the development of State policies specifically designed to solve the problems affecting society. Accordingly, many of the causes of those problems have now been studied and addressed with long-term programmes for eradicating poverty and extreme poverty. This is because the Government changes every four years, meaning that new actions and programmes are developed and previous ones are not followed up.

7. Through its various institutions, the State of Guatemala has made significant progress and has obtained some results from the implementation of projects and programmes to eradicate poverty in rural areas. A number of actions designed to assist indigenous peoples are described below.

(a) Agricultural and development programmes have been implemented in order to stimulate production, generate jobs and improve living conditions in the hope of counteracting extreme poverty and hunger;

(b) Anti-hunger campaigns and programmes have been launched, thereby raising awareness of the issue among the population;

(c) Infrastructures (roads, electricity, drinking water, schools, health centres, etc.) have been improved in rural areas, thereby improving the population's standard of living.

8. Unemployment is related to the drop in the price of commodities, such as coffee, which led to job losses and increased poverty levels.

9. The institutions charged with seeking ways of eradicating extreme poverty, whose funds are used partly for investment in infrastructure and rural development, include:

Social Investment Fund

10. The Social Investment Fund is the institution responsible for acknowledging, assessing and investing in the social development of indigenous peoples. It works to promote the fight against poverty and extreme poverty and the development of indigenous communities.

11. Thus, through this institution, whose primary objective is to ensure the social welfare of communities, the State of Guatemala engages in social investment. On average, the Fund's annual budget is 400 million quetzales. This amount is intended for investment in order to overcome rural poverty, which, for the most part, as mentioned above, affects indigenous people.

12. All the programmes in the Fund's project inventory focus on poverty eradication in rural areas, which are home to most indigenous people, thereby eliminating discrimination and providing for development and self-determination.

13. Several of the Fund's most significant achievements are described below:

14. Sixteen microregions have been created in order to assist the predominantly indigenous rural population in, inter alia, Alta Verapaz, El Quiché and Área Ch'orti' de Chiquimula. Workshops and seminars were held as part of these activities to provide training on gender and ethnic equity issues to Fund staff.

15. The Fund carries out a number of important functions, including activities designed to assist rural communities. These activities are related to the fight against racial discrimination.

16. Consideration has been given to creating organized social capital by strengthening the capacity of indigenous communities for development and to creating or improving human capital: schools, health centres, and social services in indigenous communities without coverage (communities without benefits from other sources). Consideration must also be given to creating economic capital: roads, irrigation systems, storage facilities, vocational training and production credit for indigenous groups and communities.

17. In terms of impact, socio-economic and political participation has increased, and progress has been made towards eliminating inequalities and achieving ethnic equity.

18. In accordance with the obligations incumbent upon the State of Guatemala, the Fund requires, in all communities, women to participate in assemblies, express their own needs and desires and sit on boards of directors.

Guatemalan Fund for Indigenous Development

19. As a bipartite organ and in accordance with its mandate, if any significant issue arises that affects indigenous people involved in the projects that it supports, the Fund conducts consultations with indigenous organizations and community representatives in order to give its work new direction. Projects supported by the Fund must, as a minimum requirement, include a gender perspective.

20. The results achieved include the active participation of indigenous women in the implementation of community projects. Such participation is also an important indicator in the approval of such projects.

21. With a view to improving services and access to indigenous communities, the number of outreach workers in each region has been increased in order to focus more attention on the projects.

22. The Analysis Unit is working to implement a strategic plan that will incorporate elements of the fight against racial discrimination into the Fund's activities at the national level. This appears to be a positive initiative that will require follow-up.

23. The Fund's trademark is to add value to the implementation of projects by achieving tangible development in indigenous communities.

24. The Fund's four programmes (education, social production, health and infrastructure) promote the rights of indigenous peoples, in accordance with the Peace Agreements. The projects funded under those programmes are designed to increase employment and job opportunities.

25. Efforts are also being made to create better conditions for development in urban and rural areas, reduce the rates of poverty and extreme poverty, establish production projects and social infrastructure, promote a policy of decentralization on the basis of constitutional principles, strengthen local authorities and instil respect for municipal autonomy, and implement mechanisms to enhance the transparency of local and national administration.

26. Citizen participation is encouraged in order to strengthen local authorities and ensure universal access to education, rural housing, community infrastructures and food aid to support the consolidation of peace.

Goal 2
Achieving universal primary education

27. In the context of this objective, the second Millennium Development Goal consists in ensuring that, by 2015, all boys and girls worldwide are able to complete a full course of primary education.

28. The most relevant data obtained, whose indicators are detailed below, are:

- Net enrolment ratio in primary education
- Proportion of pupils starting grade 1 who reach grade 5
- Literacy rate of 15-24 year-olds

Significant progress on the part of the Ministry of Education

29. The Ministry of Education has been carrying out substantive actions over recent years designed to meet the country's educational needs. These actions were readjusted, strengthened and expanded in 2004 and, in their entirety, also address the fulfilment of the targets established in the Millennium Development Goals.

30. The following are significant advances in this respect:

Support and infrastructure services

- Regular food through the Ministry of Agriculture, Livestock and Food
- More than 8 million items of equipment through the *Maratón des Lápiz* (Pencil Marathon)
- Allocation of more than 500 million quetzales for school services for 2005 (equipment, teaching aids, minor repairs, school meals, scholarships and textbooks)
- Design of the school infrastructure and maintenance policy
- Start of school census (1/3 under way)
- 200 schools through the Friends of the School programme
- Agreements with social funds
- Restructuring of standard federation schools

Human resources

- Establishment of procedures for teacher selection and recruitment by contract (13, 000 teachers)
- Agreement with municipalities
- 3, 000 posts filled per year
- Modernization of teachers' information system

Educational quality

- *Salvemos el Primer Grado* (Let's Save Grade 1): reduction in the repetition rate of children in grade 1 of primary education from 32 per cent to 25 per cent
- 1,000 mini-libraries: *Libros por Amor* (Books for Love)
- Intercultural bilingual education: employment of bilingual teachers in the first grades of primary education
- Diagnostic evaluation for students in the final grade of comprehensive school, strengthening of out-of-school education

- Prize for excellence for seminars in the final grade of comprehensive school (theme: national identity in the framework of diversity)

New management model

- Educational vision:

  Participation and dialogue with politicians, the Government and civil society: a new vision for the twenty-first century, long-term targets, definitions of competence, budgetary analysis for 10 years (based on targets), general outline for the new education law.

31. Obviously, the measures developed during 2004 have not yet managed to meet the needs that have accumulated over decades. Fundamental measures are therefore envisaged for 2005, such as:

Coverage

- Raising the 2004-2007 educational targets (from 92 per cent to 94 per cent in primary education)
- Long-term plan (targets and funding), work by departments and with education boards

Educational quality

- Teacher training
- Establishment, simplification and dissemination of standards by grade at the primary level
- Secondary education reform proposal (early secondary schools, comprehensive schools, teacher-training colleges), school policies
- Proposal for and discussion of the professionalization of primary schoolteachers
- Pilot schools for the future
- Establishment of the Evaluation and Research Institute
- Scholarships (for the poorest and the best students)
- Resumption of intercultural bilingual education

New management model

- Restructuring of the central administration: ISO 9000
- Redesigning of processes
- Management of human resources: 3,000 teachers budgeted, review of teacher selection, recruitment and evaluation procedures
- Management by objectives
- Discussion of the legal framework with Congress and teachers for the legal reform of the education sector

32. Other educational developments achieved:

- Establishment of the General Directorate of Intercultural Bilingual Education
- Establishment of the Vice-Ministry for Intercultural Bilingual Education at the Ministry of Education
- Establishment of the intercultural bilingual education offices at departmental level
- Establishment of curriculums with cultural relevance
- Establishment of intercultural bilingual-education teacher-training colleges
- Legislative Decree No. 81-2002, Act on Promoting Education against Discrimination
- The Ministry of Education established Ministerial Agreement No. 930, dated 24 November 2003: "All public and private educational establishments shall promote and respect the use of indigenous dress by students, teachers, technical personnel and administrative staff in teaching, civic, social, formal and other activities without any restriction." Consequently, any behaviour or activity limiting this right is prohibited
- Governmental Agreement 526-2003, establishing the Third Vice-Ministry for Intercultural Bilingual Education
- Governmental Agreement 22-04, generalization of intercultural bilingual education in national education
- Resolution item 13-2004, obligation for students in the final year to prepare seminars on discrimination and racism
- Legislative Decree 7-99, Act for the Advancement and Integral Promotion of Women, which affords indigenous female students the option of continuing using their dress at school

33. Recognizing the illiteracy problem in rural areas, especially among the indigenous populations, and the efforts that the Ministry of Education has made to promote education, the Guatemalan State, anxious to improve bilingual education in rural areas, now has 18,000 indigenous schoolteachers in the national teaching profession out of a total of 81,000 schoolteachers in the system. The State recognizes that actions need to be taken in the short and medium term for the implementation of measures designed to reduce illiteracy. An important fact to bear in mind is that in Guatemala there are three quarters of a million Maya-speaking children from 5 to 12 years old.

34. Given the country's present economic situation, it has not been possible to increase the budget of the General Directorate of Intercultural Bilingual Education, owing to the fact that priorities in other areas have greater importance and national impact. However, the progressive increase in the General Directorate's economic requirements is being taken into account in the implementation of its activities, as well as the need for the support and cooperation of international organizations.

35. In view of the fact that half of the indigenous population is illiterate (whereas illiteracy among the non-indigenous population is only at 20 per cent) and that it is women who are most affected by the system (particularly indigenous women living

in rural areas, where 7 out of 10 women are illiterate), the Guatemalan State has taken steps to reduce such large gaps: there are currently 7,832 schools in departments with an indigenous population and, in particular, 1,869 with bilingual teaching.

36. Average school enrolment for the young mestizo population of both sexes between 15 and 24 years is seven years, equivalent to the first grade of secondary education. In contrast, for young indigenous men it is 4.7 years, which is below the fifth grade of primary education, and 3.5 years for young indigenous women, which is below the fourth grade of primary education. For every 200 children, 100 indigenous and 100 non-indigenous, 21 indigenous and 10 non-indigenous children do not attend primary school.

37. In the national education system, as in many other areas, the desire to implement the Peace Accords is being taken into account, specifically with regard to educational reform in Guatemala.

Important data to be taken into account

Literacy

38. Among the population of seven years and over, a person is considered literate who knows how to read and write a simple paragraph in Spanish or another language. The status of literacy was investigated among the population aged seven years and over. The number of literate persons increased to 51.1 per cent over the period 1994-2002, with a greater increase among women than men (55.7 per cent and 47 per cent, respectively). According to the 2002 census, one in every three women and one in every four men is illiterate.

39. Among the population group aged 15 to 64 years, the proportion of literate persons stands at 71.5 per cent and that of illiterate persons at 28.5 per cent. Out of the total number of illiterate persons (1,708, 522), 36.8 per cent (629,493) are men and 61.2 per cent (1,079, 029) are women. During the period 1994-2002, the number of literate persons 15 to 64 years of age showed a 49 per cent increase, with a higher number among women than men (55 per cent and 45 per cent, respectively). Approximately one in every three women and one in every five men are illiterate.

Enrolment rate in urban areas

40. The 2002 census shows that 48.2 per cent of urban inhabitants have completed some grade of primary education, 27.1 per cent have reached some grade of secondary education, and 7 per cent have had university studies. Ten percent have taken pre-primary studies, and 16.7 per cent of the population concerned have not completed any grade.

School attendance

41. Of the population aged 7 years and over, approximately one in every three persons attends an educational establishment, with higher attendance among men than women. According to the 1994 census, the percentage of school attendance among men was 55.1 per cent and according to the 2002 census it was 51.8 per cent, whereas the figures for women were 44.9 per cent and 48.2 per cent, respectively.

42. Based on the above information obtained directly from the Ministry of Education, this Commission is concerned by the silence over the suspension of the programme for the professionalization of schoolteachers in employment, the discontinuation of the restructuring of teacher-training colleges and the failure to mention the implementation of the proposal for curriculum change in the framework of the implementation of educational reform.